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ORIGIN DLOS-07

INFO OCT-01 ARA-16 EUR-25 ISO-00 COA-02 L-03 H-03 AF-10

EA-11 NEA-14 RSC-01 IO-14 OIC-04 EB-11 FEA-02 JUSE-00

INT-08 COME-00 DOTE-00 NSF-04 OMB-01 TRSE-00 SWF-02

AGR-20 ACDA-19 AEC-11 CG-00 CEA-02 FMC-04 CIEP-03

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FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

INFO AMEMBASSY CARACAS

AMEMBASSY OSLO

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E.O. 11652: N/A

TAGS: PLOS

SUBJECT- LOS: MEXICAN INTEREST IN STATEMENT RE POSSIBLE

U.S. UNILATERAL ESTABLISHMENT OF ECONOMIC ZONE

REF: MEXICO 6939; OSLO 3647 (NOTAL)

1. PRESS CONFERENCE STATEMENTS OF SENATORS MUSKIE AND STEVENS IN CARACAS AUGUST 6 WERE IN INFORMAL Q AND A WITH OUT TEXTS. BOTH SENATORS EXPRESSED THE VIEW THAT IF LOS LIMITED OFFICIAL USE

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CONFERENCE FAILED TO REACH AGREEMENT U.S. SENATE WOULD

AND SHOULD PASS SOME FORM OF PENDING BILL (S.1988) WHICH IF PASSED BY BOTH HOUSES AND SIGNED BY THE PRESIDENT, WOULD EXTEND U.S. FISHERIES JURISDICTION TO 200 MILES AS INTERIM MEASURE PENDING INTERNATIONAL AGREEMENT. THE BILL DOES NOT PROVIDE AND THE SENATORS DID NOT ADVOCATE UNILATERAL ESTABLISHMENT OF A 200 MILE ECONOMIC ZONE FOR OTHER PURPOSES.

2. S.1988, KNOWN AS THE MAGNUSON BILL STATES AS ITS PURPOSE "TO TAKE EMERGENCY ACTION TO PROTECT AND CONSERVE THREATENED STOCKS OF FISH BY ASSERTING FISHERY MANAGEMENT RESPONSIBILITY AND AUTHORITY OVER FISH IN AN EXTENDED CONTIGUOUS FISHING ZONE (OF 200 MILES) AND OVER CERTAIN SPECIES OF FISH BEYOND SUCH ZONE (ANADROMOUS SPECIES, E.G., SALMON) UNTIL A GENERAL INTERNATIONAL AGREEMENT ON FISHERY JURISDICTION COMES INTO FORCE OR IS PROVISIONALLY APPLIED."

PRINCIPAL SUPPORT FOR THE BILL COMES FROM NEW ENGLAND, PACIFIC NORTHWEST, AND ALASKA COASTAL FISHERIES WHICH ARE SUFFERING SEVERELY FROM DECIMATION OF CERTAIN SPECIES AND REDUCTION IN SHARE OF CATCH AS RESULT OF OPERATIONS OF FOREIGN FISHING FLEETS OFF U.S. COASTS.

3. THE BILL HAS BEEN BEFORE THE SENATE COMMERCE COMMITTEE IN VARIOUS FORMS FOR SEVERAL YEARS AND DEPT HAS REPEATEDLY TESTIFIED IN OPPOSITION TO ITS PASSAGE DURING PENDANCY OF LOS NEGOTIATIONS ON GROUNDS IT WOULD IMPAIR ATTAINMENT OF OUR OVERALL LOS OBJECTIVES, THAT U.S. HAS VIGOROUSLY OPPOSED UNILATERAL ACTION BY OTHERS AND THAT SUCH ACTION IS INCONSISTENT WITH EXISTING INTERNATIONAL LAW. THIS MONTH THE PRESENT VERSION OF BILL WAS REPORTED OUT OF COMMERCE COMMITTEE AND REFERRED FOR PERIOD OF 21 WORKING DAYS TO SENATE FOREIGN RELATIONS COMMITTEE, AND IS EXPECTED TO COME TO FLOOR OF THE SENATE AT THE EXPIRATION OF THAT TIME ABOUT THE 17TH OF SEPTEMBER. THE FOREIGN RELATIONS COMMITTEE WILL HOLD HEARINGS SEPTEMBER 5 AT WHICH IT IS EXPECTED EXECUTIVE BRANCH WILL OPPOSE THE BILL. THE BILL MAY RUN INTO ADJOURNMENT OF THE SENATE AND HENCE IT IS POSSIBLE THERE WILL BE NO SENATE ACTION ON IT AT THIS SESSION. REGARDLESS OF WHAT MAY HAPPEN TO THE BILL
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IN THE SENATE, ASSESSMENT OF SOME CONGRESSIONAL SUPPORTERS IS THAT IT IS UNLIKELY TO PASS THE HOUSE THIS YEAR.

4. WE HAVE CONTINUED TO EMPHASIZE IN CARACAS U.S. VIEW THAT OVERALL WORLD COMMUNITY INTERESTS WILL BEST BE SERVED BY BROADLY ACCEPTABLE TREATY. WE WILL URGE CONGRESS NOT TO ACT AND HOPE OTHER COUNTRIES ALSO REFRAIN FROM TAKING UNILATERAL MEASURES AT THIS

CRITICAL STAGE OF LOS NEGOTIATIONS. OBVIOUSLY WHAT WE WISH TO AVOID IS CHAIN REACTION OF UNILATERAL CLAIMS WHICH WOULD MOOT NEGOTIATIONS AND BRING ON POTENTIAL FOR CONFLICT WHICH LOS TREATY IS INTENDED TO AVOID.

5. WE ARE POUCHING FOR EMBASSY'S INFO COPY OF THEN DEPUTY SECRETARY RUSH'S TESTIMONY ON EARLIER VERSION OF S.1988 IN MAY. SUGGEST EMBASSY MAY WISH DISCUSS CURRENT STATUS FURTHER DURING PROPOSED VISIT LOS DEL BERNARD OXMAN SEPTEMBER 1 (CARACAS 7863).

6. EMBASSY SHOULD CONTINUE TO USE APPROPRIATE OCCASIONS TO DISSUARDE GOM FROM TAKING UNILATERAL ACTION.

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